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JAN 26 2006

Attorney's Docket No. 67,108-019; Fishkin 2-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Fishkin, et al.  
Serial No.: 10/701,276  
Filed: 11/4/2003  
Group Art Unit: 2123  
Examiner:  
For: OPTIMAL CONFIGURATION METHOD

Commissioner For Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

SECOND STATUS INQUIRY

1. More than ONE (1) year has passed since

☒ NEW APPLICATIONS  
the filing of this application on November 4, 2003.  
No communication have been received from the Patent and Trademark Office  
indicating action on this application.

☐ AMENDED APPLICATIONS (Preliminary Amendment)  
the filing of a response on \_\_\_\_\_.

No Further communication has been received from the Patent and Trademark  
Office.

\*\*\*\*\* See attached chronological correspondence of events.

☐ APPEALED APPLICATION  
The Appeal Brief was filed on \_\_\_\_\_.  
(check and complete applicable items below)  
☐ An Examiner's Answer was mailed on \_\_\_\_\_.  
☐ A Reply to the Examiner's Answer was submitted on \_\_\_\_\_.

☐ ALLOWED APPLICATIONS  
the mailing of FORM POL-327 and/or Examiner's Amendment on \_\_\_\_\_.

**2. Kindly advise the undersigned of the present status of this application in writing to FACSIMILE NUMBER 1-248-988-8363.**

*Note: Status Inquiries should not be submitted for:*

*NEW applications until a reasonable period after the Official Gazette indicates that the filing date of the "oldest new issue" awaiting action in the group to which the application is assigned, is subsequent to the filing date of the application, or*

*AMENDED applications within six (6) months after the filing of a response in which no reply from the PTO has been received, or ALLOWED applications where a notice of allowance is not received within three (3) months from the receipt of either a Form PTOL-327 or an Examiner's Amendment.*

*See Notice of November 24, 1971 (893 O.G. 810)*

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**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)**

I hereby certify that this correspondence is, on the date shown below, being:

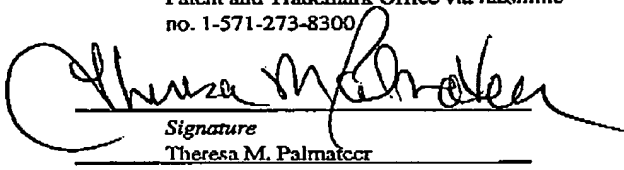
**MAILING**

— deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231

Date: 1-26-06

**FACSIMILE**

X transmitted by facsimile to the Patent and Trademark Office via facsimile no. 1-571-273-8300

  
Signature

Theresa M. Palmatier

(type or print name of person certifying)